

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

IN RE:)	
	)	Misc. No. 08-442 (TFH)
GUANTANAMO BAY)	
DETAINEE LITIGATION	)	Civil Action No. 05-CV-2367
	)	(RWR)

STATUS REPORT

Pursuant to paragraph 1 of this Court's July 11, 2008 Scheduling Order, undersigned counsel for the respondents states the following status of this case:

1) Mohammad Rahim, a national of Afghanistan, is the detainee-petitioner in this habeas corpus case. The petitioner is currently detained by the Armed Forces of the United States at Guantanamo Bay, Cuba, and is identified by Internment Serial Number 1104.

2) The Protective Order has been entered in this case.

3) The detainee is represented in this petition by a next friend. The Protective Order was entered in this case, so counsel has had the opportunity to visit the petitioner and receive direct authorization to pursue the action. Because such authorization has not been filed, however, it is unknown whether the petitioner consents to this matter proceeding. Counsel should be required to demonstrate direct authorization from the petitioner before merits-related matters are scheduled in this case.

4) A Combatant Status Review Tribunal ("CSRT") convened by the Department of Defense determined the petitioner to be an enemy combatant. The petitioner has not been approved for release or transfer from Guantanamo Bay by the Department of Defense. The petitioner has not been charged with crimes triable by military commission under the Military Commissions Act of 2006.

5) The petitioner filed this petition for a writ of habeas corpus on 12/9/2005. The respondent has filed the CSRT record, styled as a "factual return," in this case.

Dated: July 18, 2008

Respectfully Submitted,

GREGORY G. KATSAS
Assistant Attorney General

JOHN C. O'QUINN
Deputy Assistant Attorney General

/S/ Judry Subar

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

IN RE:)	
GUANTANAMO BAY)	Misc. No. 08-442 (TFH)
DETAINEE LITIGATION	)	Civil Action No. 05-CV-2371 (RCL)
)	

STATUS REPORT

Pursuant to paragraph 1 of this Court's July 11, 2008 Scheduling Order, undersigned counsel for the respondents states the following status of this case:

- 1) Ahmad Mohammed Al Darbi, a national of Saudi Arabia, is the detainee-petitioner in this habeas corpus case. The petitioner is currently detained by the Armed Forces of the United States at Guantanamo Bay, Cuba, and is identified by Internment Serial Number 768.
- 2) The Protective Order has been entered in this case.
- 3) The detainee is represented in this petition by a next friend. The Protective Order was entered in this case, so counsel has had the opportunity to visit the petitioner and receive direct authorization to pursue the action. Because such authorization has not been filed, however, it is unknown whether the petitioner consents to this matter proceeding. Counsel should be required to demonstrate direct authorization from the petitioner before merits-related matters are scheduled in this case.
- 4) A Combatant Status Review Tribunal ("CSRT") convened by the Department of Defense determined the petitioner to be an enemy combatant. The petitioner has not been approved for release or transfer from Guantanamo Bay by the Department of Defense. The petitioner has been charged with crimes triable by military commission under the Military Commissions Act of 2006.
- 5) The petitioner filed this petition for a writ of habeas corpus on 12/12/2005. The respondent has not filed the CSRT record, styled as a "factual return," in this case.

Dated: July 18, 2008

Respectfully Submitted,

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Assistant Attorney General

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Attorneys for Respondents

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

IN RE:)	
GUANTANAMO BAY	)	Misc. No. 08-442 (TFH)
DETAINEE LITIGATION	)	Civil Action Nos. 05-CV-2378 (JDB);
	)	05-CV-2386 (RBW)

STATUS REPORT

Pursuant to paragraph 1 of this Court's July 11, 2008 Scheduling Order, undersigned counsel for the respondents states the following status of this case:

- 1) Abdul Hamid Abdul Salam Al-Ghizzawi, a national of Libya, is the detainee-petitioner in this habeas corpus case. The petitioner is currently detained by the Armed Forces of the United States at Guantanamo Bay, Cuba, and is identified by Internment Serial Number 654. This petitioner appears in more than one petition pending before this Court, as captioned above.¹ The respondents submit that the first petition filed is operative, and thus all later-filed petitions should be dismissed in accordance with the Joint Status Report filed with this Court.
- 2) The Protective Order has been entered in this case.
- 3) The detainee is represented in this petition by a next friend. The Protective Order was entered in this case, so counsel has had the opportunity to visit the petitioner and receive direct authorization to pursue the action. Because such authorization has not been filed, however, it is unknown whether the petitioner consents to this matter proceeding. Counsel should be required to demonstrate direct authorization from the petitioner before merits-related matters are scheduled in this case.
- 4) A Combatant Status Review Tribunal ("CSRT") convened by the Department of Defense determined the petitioner to be an enemy combatant. The petitioner has not been approved for release or transfer from Guantanamo Bay by the Department of Defense. The

¹ Petitioner is identified as Abin Alhamed Abid Alsallam Alkesawi in the petition filed in *Mohammon v. Bush*, No. 05-cv-2386 (RBW).

petitioner has not been charged with crimes triable by military commission under the Military Commissions Act of 2006.

5) The petitioner filed this petition for a writ of habeas corpus on 12/12/2005. The respondent has filed the CSRT record, styled as a "factual return," in this case.

Dated: July 18, 2008

Respectfully Submitted,

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

IN RE:)	
GUANTANAMO BAY)	Misc. No. 08-442 (TFH)
DETAINEE LITIGATION	)	Civil Action Nos. 05-CV-2379 (JR);
	)	05-CV-2385 (RMU)

STATUS REPORT

Pursuant to paragraph 1 of this Court's July 11, 2008 Scheduling Order, undersigned counsel for the respondents states the following status of this case:

- 1) Adham Mohammed Ali Awad, a national of Yemen, is the detainee-petitioner in this habeas corpus case. The petitioner is currently detained by the Armed Forces of the United States at Guantanamo Bay, Cuba, and is identified by Internment Serial Number 88. This petitioner appears in more than one petition pending before this Court, as captioned above.¹ The respondents submit that the first petition filed is operative, and thus all later-filed petitions should be dismissed in accordance with the Joint Status Report filed with this Court.
- 2) The Protective Order has been entered in this case.
- 3) The detainee has directly authorized this petition.
- 4) A Combatant Status Review Tribunal ("CSRT") convened by the Department of Defense determined the petitioner to be an enemy combatant. The petitioner has not been approved for release or transfer from Guantanamo Bay by the Department of Defense. The petitioner has not been charged with crimes triable by military commission under the Military Commissions Act of 2006.
- 5) The petitioner filed this petition for a writ of habeas corpus on 12/12/2005. The respondent has not filed the CSRT record, styled as a "factual return," in this case. On April 5, 2007 (dkt. no. 48, No. 05-CV-2379 (JR)), the Court dismissed the petition for lack of

¹ Petitioner is identified as Waqas Mohammed Ali Awad in the petition filed in *Al Halmandy v. Bush*, No. 05-cv-2385 (RMU).

jurisdiction. Petitioner appealed, and on July 10, 2008, the Court of Appeals vacated the order of dismissal and remanded the case to this Court. *Awad v. Bush.*, No. 07-5147 (D.C. Cir. July 10, 2008).

Dated: July 18, 2008

Respectfully Submitted,

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Attorneys for Respondents

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

IN RE:)	
	)	Misc. No. 08-442 (TFH)
GUANTANAMO BAY)	
DETAINEE LITIGATION	)	Civil Action Nos. 05-CV-2380
	)	(CKK); 05-CV-2385 (RMU);
	)	05-CV-2386 (RBW)

STATUS REPORT

Pursuant to paragraph 1 of this Court's July 11, 2008 Scheduling Order, undersigned counsel for the respondents states the following status of this case:

- 1) Zakaria Al-Baidany, a national of Yemen, is the detainee-petitioner in this habeas corpus case. The petitioner is currently detained by the Armed Forces of the United States at Guantanamo Bay, Cuba, and is identified by Internment Serial Number 1017. This petitioner appears in more than one petition pending before this Court, as captioned above. The respondents submit that the first petition filed is operative, and thus all later-filed petitions should be dismissed in accordance with the Joint Status Report filed with this Court.
- 2) The Protective Order has been entered in this case.
- 3) The detainee is represented in this petition by a next friend. The Protective Order was entered in this case, so counsel has had the opportunity to visit the petitioner and receive direct authorization to pursue the action. Because such authorization has not been filed, however, it is unknown whether the petitioner consents to this matter proceeding. Counsel should be required to demonstrate direct authorization from the petitioner before merits-related matters are scheduled in this case.
- 4) A Combatant Status Review Tribunal ("CSRT") convened by the Department of Defense determined the petitioner to be an enemy combatant. The petitioner has not been approved for release or transfer from Guantanamo Bay by an

Administrative Review Board. The petitioner has not been charged with crimes triable by military commission under the Military Commissions Act of 2006.

5) The petitioner filed this petition for a writ of habeas corpus on 12/12/2005. The respondent has not filed the CSRT record, styled as a "factual return," in this case.

Dated: July 18, 2008

Respectfully Submitted,

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

IN RE:)	
)	Misc. No. 08-442 (TFH)
GUANTANAMO BAY)	
DETAINEE LITIGATION	)	Civil Action Nos. 05-CV-2384
	)	(RWR); 05-CV-2386 (RMU)

STATUS REPORT

Pursuant to paragraph 1 of this Court's July 11, 2008 Scheduling Order, undersigned counsel for the respondents states the following status of this case:

- 1) Saad Al Qahtaani, a national of Saudi Arabia, is the detainee-petitioner in this habeas corpus case. The petitioner is currently detained by the Armed Forces of the United States at Guantanamo Bay, Cuba, and is identified by Internment Serial Number 200. This petitioner appears in more than one petition pending before this Court, as captioned above. The respondents submit that the first petition filed is operative, and thus all later-filed petitions should be dismissed in accordance with the Joint Status Report filed with this Court.
- 2) The Protective Order has been entered in this case.
- 3) The detainee is represented in this petition by a next friend. The Protective Order was entered in this case, so counsel has had the opportunity to visit the petitioner and receive direct authorization to pursue the action. Because such authorization has not been filed, however, it is unknown whether the petitioner consents to this matter proceeding. Counsel should be required to demonstrate direct authorization from the petitioner before merits-related matters are scheduled in this case.
- 4) A Combatant Status Review Tribunal ("CSRT") convened by the Department of Defense determined the petitioner to be an enemy combatant. The petitioner has not been approved for release or transfer from Guantanamo Bay by the

Department of Defense. The petitioner has not been charged with crimes triable by military commission under the Military Commissions Act of 2006.

5) The petitioner filed this petition for a writ of habeas corpus on 12/13/2005. The respondent has filed the CSRT record, styled as a "factual return," in this case.

Dated: July 18, 2008

Respectfully Submitted,

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

IN RE:)	
)	Misc. No. 08-442 (TFH)
GUANTANAMO BAY)	
DETAINEE LITIGATION	)	Civil Action Nos. 05-CV-2384
	)	(RWR)

STATUS REPORT

Pursuant to paragraph 1 of this Court's July 11, 2008 Scheduling Order, undersigned counsel for the respondents states the following status of this case:

- 1) Mohammed Zahrani, a national of Saudi Arabia, is the detainee-petitioner in this habeas corpus case. The petitioner is currently detained by the Armed Forces of the United States at Guantanamo Bay, Cuba, and is identified by Internment Serial Number 713.
- 2) The Protective Order has been entered in this case.
- 3) The detainee is represented in this petition by a next friend. The Protective Order was entered in this case, so counsel has had the opportunity to visit the petitioner and receive direct authorization to pursue the action. Because such authorization has not been filed, however, it is unknown whether the petitioner consents to this matter proceeding. Counsel should be required to demonstrate direct authorization from the petitioner before merits-related matters are scheduled in this case.
- 4) A Combatant Status Review Tribunal ("CSRT") convened by the Department of Defense determined the petitioner to be an enemy combatant. The petitioner has not been approved for release or transfer from Guantanamo Bay by the Department of Defense. The petitioner has not been charged with crimes triable by military commission under the Military Commissions Act of 2006.

5) The petitioner filed this petition for a writ of habeas corpus on 12/13/2005. The respondent has not filed the CSRT record, styled as a "factual return," for this petitioner.

Dated: July 18, 2008

Respectfully Submitted,

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

IN RE:)	
GUANTANAMO BAY)	Misc. No. 08-442 (TFH)
DETAINEE LITIGATION	)	Civil Action No. 05-CV-2385 (RMU)
)	

**RESPONDENTS' STATUS REPORT AND
RESPONSE TO COURT'S JULY 11, 2008 ORDER**

Respondents hereby submit this status report and response to the Court's July 11, 2008 Order.

BACKGROUND

In late 2005, when enactment of Congressional legislation withdrawing the habeas jurisdiction of the federal courts to hear actions brought by or on behalf of aliens detained at Guantanamo Bay became imminent, a surge of petitions for writ of habeas corpus on behalf of Guantanamo detainees were filed in the district court. The above-captioned habeas action, filed on December 13, 2005, is one of these petitions. Unlike the majority of pending Guantanamo detainee habeas cases filed on behalf of only one or a few detainees, however, counsel elected to file this case on behalf of 63 named petitioners, typically unrelated except by virtue of alleged detention at Guantanamo Bay.

As explained below, the petitioners in this case fall into four distinct categories: 1) petitioners whom respondents have not been able to identify as detainees at Guantanamo Bay; 2) petitioners who are currently detained at Guantanamo Bay and who have previously-filed petitions for writ of habeas corpus pending on their behalf; 3) petitioners who have been transferred from the custody of the United States and are no longer detained at Guantanamo Bay;

and 4) petitioners whom respondents have identified as current detainees at Guantanamo Bay and who do not have previously-filed petitions pending on their behalf.

STATUS OF PETITIONERS

1. Petitioners Whom Respondents Have Been Unable to Identify as Detainees at Guantanamo Bay.

Respondents have been unable to identify 34 petitioners in this case as current or former detainees at Guantanamo Bay. A list of these petitioners is included in the chart attached hereto as Exhibit A (listing petitioners in Case No. 08-MC-442 whom respondents cannot identify) Given the similar names and aliases of many of the approximately 270 individuals detained at Guantanamo Bay, and based on the minimal information about these petitioners provided in the petition, respondents have been unable to confirm the identities of these petitioners. In some cases, the information provided in the petition did not match or resemble information pertaining to any detainee at Guantanamo Bay. In other cases, the information provided in the petition matched or resembled information contained in respondents' records that pertains to multiple detainees; therefore, respondents were unable to determine conclusively on whose behalf habeas relief is purportedly being sought. Counsel for respondents and petitioners are in the process of conferring to resolve the identity situation for these petitioners.

2. Petitioners Who Are Currently Detained At Guantanamo Bay And Who Have Previously-Filed Petitions for Writ of Habeas Corpus Pending On Their Behalf In District Court.

Of the petitioners in this case whom respondents have been able to identify as detainees currently detained at Guantanamo Bay, approximately 16 have previously-filed habeas corpus petitions pending on their behalf or have chosen to pursue habeas relief in a later-filed case.

These duplicate petitions are either pending in other habeas cases in the District Court, or in the above-captioned case, *i.e.*, one detainee is named multiple times in the *Halmandy* petition.

Pursuant to the Court's July 11, 2008 Order directing the parties to submit a joint status report on July 21, 2008, identifying all duplicate petitions that were filed on behalf of a single individual in the coordinated cases in Misc. No. 08-MC-442, counsel for respondents and petitioners will report on the status of the duplicate petitioners in the joint report.

3. Petitioners Who Have Been Transferred from the Custody of the United States and Are No Longer Detained at Guantanamo Bay

Of the petitioners whom respondents have been able to identify, 10 have been transferred from the custody of the United States and are no longer detained at Guantanamo Bay. A list of these petitioners is included in the chart attached hereto as Exhibit B (listing petitioners in Case No. 08-MC-442 who are no longer detained at Guantanamo Bay and noting existence of duplicate petition, if any). Because these petitioners are no longer within the custody of the United States, the petitions for writ of habeas corpus filed on their behalf are moot and should, therefore, be dismissed.¹

4. Petitioners Whom Respondents Have Identified as Detainees at Guantanamo Bay and Who Do Not Have Apparent Previously-Filed Petitions Pending on Their Behalf in District Court

Of the petitioners whom respondents have been able to identify, 4 are currently detained at Guantanamo Bay and do not have duplicate petitions pending on their behalf. A list of these petitioners is below:

¹ Additionally, those petitioners noted on the chart as having a duplicate, earlier-filed habeas petition pending on their behalf in another case should be dismissed from this case.

	Petitioner	ISN	Petition Citation	Nationality
1.	Sabry Mohammed	570	¶ 55	Yemen
2.	Muhammed Saad Iqbal Madni	743	¶ 18	Pakistan
3.	Saki Bacha ²	900	¶ 8	Afghanistan
4.	Mohammed Kameen ³	1045	¶ 7	Afghanistan

Combatant Status Review Tribunals (“CSRT”) convened by the Department of Defense have determined that all of the petitioners listed in the above table are enemy combatants. Two of the petitioners have been charged with crimes triable by military commission under the Military Commissions Act of 2006. None of the petitioners have been approved for release or transfer from Guantanamo Bay by the Department of Defense.

Respondents note that the petition in this case does not allege that it was authorized by the petitioners seeking relief, but was instead filed purportedly on petitioners’ behalf by an attorney seeking to anoint herself as the “next friend” for all 63 petitioners. *See Petition For Writ Of Habeas Corpus* (dkt. no. 1), Declaration of Barbara Olshansky. Because direct authorizations to pursue this action have not been filed with the Court, it is unknown whether the petitioners consent to this matter proceeding. Counsel should be required to demonstrate direct authorizations from the petitioners before merits-related proceedings are scheduled in this case. Respondents reserve the right to challenge such authorizations as well as the legal basis for Ms.

² Petitioner Bacha has been charged with crimes triable by military commission under the Military Commissions Act of 2006. *See* <http://www.defenselink.mil/news/commissionsmohammed1.html>.

³ Petitioner Kameen has been charged with crimes triable by military commission under the Military Commissions Act of 2006. *See* <http://www.defenselink.mil/news/commissionsKamin.html>.

Olshansky to act as a next friend in this matter. *See, e.g., Whitmore v. Arkansas*, 495 U.S. 149 (1990); *John Does 1-570 v. Bush*, 2006 WL 3096685 (D.D.C. Oct. 31, 2006).

Dated: July 18, 2008

Respectfully submitted,

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

IN RE:)	
)	Misc. No. 08-442 (TFH)
GUANTANAMO BAY)	
DETAINEE LITIGATION	)	Civil Action No. 05-CV-2386 (RBW)
)	

**RESPONDENTS' STATUS REPORT AND
RESPONSE TO COURT'S JULY 11, 2008 ORDER**

Respondents hereby submit this status report and response to the Court's July 11, 2008 Order.

BACKGROUND

In late 2005, when enactment of Congressional legislation withdrawing the habeas jurisdiction of the federal courts to hear actions brought by or on behalf of aliens detained at Guantanamo Bay became imminent, a surge of petitions for writ of habeas corpus on behalf of Guantanamo detainees were filed in the district court. The above-captioned habeas action, filed on December 13, 2005, is one of these petitions. Unlike the majority of pending Guantanamo detainee habeas cases filed on behalf of only one or a few detainees, however, counsel elected to file this case on behalf of 168 named petitioners, typically unrelated except by virtue of alleged detention at Guantanamo Bay.

As explained below, the petitioners in this case fall into four distinct categories: 1) petitioners whom respondents have not been able to identify as detainees at Guantanamo Bay; 2) petitioners who are currently detained at Guantanamo Bay and who have previously filed petitions for writ of habeas corpus pending on their behalf; 3) petitioners who have been transferred from the custody of the United States and are no longer detained at Guantanamo Bay;

and 4) petitioners whom respondents have identified as current detainees at Guantanamo Bay and who do not have previously-filed petitions pending on their behalf.

STATUS OF PETITIONERS

1. Petitioners Whom Respondents Have Been Unable to Identify as Detainees at Guantanamo Bay.

Respondents have been unable to identify 51 petitioners in this case as current or former detainees at Guantanamo Bay. A list of these petitioners is included in the chart attached hereto as Exhibit A (listing petitioners in Case No. 08-MC-442 whom respondents cannot identify) Given the similar names and aliases of many of the approximately 270 individuals detained at Guantanamo Bay, and based on the minimal information about these petitioners provided in the petition, respondents have been unable to confirm the identities of these petitioners. In some cases, the information provided in the petition did not match or resemble information pertaining to any detainee at Guantanamo Bay. In other cases, the information provided in the petition matched or resembled information contained in respondents' records that pertains to multiple detainees; therefore, respondents were unable to determine conclusively on whose behalf habeas relief is purportedly being sought. To address this problem, on June 27, 2006, the Court ordered respondents to "notify the Court by July 26, 2006, of all petitioners named in this case whom they are unable to identify," and noted that "[a]ny petitioner whom the respondents indicate they are unable to identify shall have the opportunity to challenge the respondents' assertion that he cannot be identified." *See* dkt. No. 66. On July 26, 2006, pursuant to the Court's Order, respondents filed a status report notifying the Court of all petitioners in this case who (1) have previously-filed petitions for a writ of habeas corpus already pending on their behalf in other

cases; and (2) have not been identified by respondents. *See* dkt. no. 109. Since the filing of that status report nearly two years ago, respondents have been able to identify some petitioners in this case based on additional information provided by petitioners' counsel. However, at present, 51 petitioners have not been identified. Because petitioners have been on notice for nearly two years that respondents have not been able to identify these petitioners as Guantanamo Bay detainees, and petitioners have not provided additional information to resolve the identity situation, these 51 petitioners should be dismissed from this case.

2. Petitioners Who Are Currently Detained At Guantanamo Bay And Who Have Previously-Filed Petitions for Writ of Habeas Corpus Pending On Their Behalf In District Court.

Of the petitioners in this case whom respondents have been able to identify as detainees currently detained at Guantanamo Bay, approximately 47 have previously-filed habeas corpus petitions pending on their behalf or have chosen to pursue habeas relief in a later-filed case. These duplicate petitions are either pending in other habeas cases in the District Court, or in the above-captioned case, *i.e.*, one detainee is named multiple times in the *Mohammon* petition. Pursuant to the Court's July 11, 2008 Order directing the parties to submit a joint status report on July 21, 2008, identifying all duplicate petitions that were filed on behalf of a single individual in the coordinated cases in Misc. No. 08-MC-442, counsel for respondents and petitioners will report on the status of the duplicate petitioners in the joint report.

3. Petitioners Who Have Been Transferred from the Custody of the United States and Are No Longer Detained at Guantanamo Bay

Of the petitioners whom respondents have been able to identify, 41 have been transferred from the custody of the United States and are no longer detained at Guantanamo Bay. A list of

these petitioners is included in the chart attached hereto as Exhibit B (listing petitioners in Case No. 08-MC-442 who are no longer detained at Guantanamo Bay and noting existence of duplicate petition, if any). Because these petitioners are no longer within the custody of the United States, the petitions for writ of habeas corpus filed on their behalf are moot and should, therefore, be dismissed.¹

4. Petitioners Whom Respondents Have Identified as Detainees at Guantanamo Bay and Who Do Not Have Apparent Previously-Filed Petitions Pending on Their Behalf in District Court

Of the petitioners whom respondents have been able to identify, 30 are currently detained at Guantanamo Bay and do not have duplicate petitions pending on their behalf. A list of these petitioners is below.²

	Petitioner	ISN	Petition Citation	Nationality	Special Status
1.	Ahmed Omar	30	¶ 318	Yemen	
2.	Alkhadr Abdullah Al Yafie	34	¶ 266	Yemen	Approved for release/transfer
3.	Edress LNU	35	¶ 107	Yemen	
4.	Saif Ullah	46	¶ 146	Tunisia	Approved for release/transfer
5.	Mohammed Al Palestini	49	¶ 15	Palestine	Approved for release/transfer
6.	Abd Al Zaher	89	¶ 25	Azerbaijan	

¹ Additionally, those petitioners noted on the chart as having a duplicate, earlier-filed habeas petition pending on their behalf in another case should be dismissed from this case.

² Respondents note that the petitions of the two Uighur petitioners listed below – Abdurahman LNU and Adel LNU – have been consolidated with other Uighur petitions before Judge Urbina. *See Order, 08-MC-442 (dkt. no. 44).*

	Petitioner	ISN	Petition Citation	Nationality	Special Status
7.	Adil LNU	148	¶ 150	Tunisia	Approved for release/transfer
8.	Sharaf Al Sanani	170	¶ 109	Yemen	
9.	Abdul-Rahman Abdo Abdulghaith Sulaiman	223	¶ 250	Yemen	
10.	Abdullah Bo Omer Hamza Yoyej	257	¶ 246	Tajikistan	
11.	Abdurahman LNU	281	¶ 230	China (Uighur)	Approved for release/transfer
12.	Abu Rawda	326	¶ 214	Syria	
13.	Bilal LNU	330	¶ 144	Syria	
14.	Mustafa Al Shamili	434	¶ 95	Yemen	
15.	Abdurahman LNU	441	¶ 160	Yemen	
16.	Jabbarov Oybek Jamolovich	452	¶ 330	Algeria	Approved for release/transfer
17.	Ali LNU	455	¶ 156	Uzbekistan	Approved for release/transfer
18.	Mohammed Ahmed Saeed Hidar	498	¶ 260	Yemen	
19.	Maher El Falesteny	519	¶ 119	Palestine	Approved for release/transfer
20.	Adel LNU	584	¶ 232	China (Uighur)	Approved for release/transfer
21.	Mohammed Abdullah Taha Mattan	684	¶ 13	Palestine	
22.	Abdal Razak Ali	685	¶ 288	Libya	
23.	Abdulaziz LNU	687	¶ 168	Saudi Arabia	
24.	Mohammed Ahmed Slam Al-Khateeb	689	¶ 252	Saudi Arabia	

	Petitioner	ISN	Petition Citation	Nationality	Special Status
25.	Samir LNU	707	¶ 73	Sudan	
26.	Jamil Ahmad Saeed	728	¶ 256	Yemen	
27.	Abdul Aziz Naji	744	¶ 270	Algeria	
28.	Tofiq Nasser Awadh Al Bihani	893	¶ 262	Yemen	
29.	Sanad Ali Alkaliemi	1453	¶ 172	Yemen	
30.	Shargowi LNU	1457	¶ 170	Yemen	

Combatant Status Review Tribunals (“CSRT”) convened by the Department of Defense have determined that all of the petitioners listed in the above table are enemy combatants. None of the petitioners have been charged with crimes triable by military commission under the Military Commissions Act of 2006. Nine of the petitioners have been approved for release or transfer from Guantanamo Bay by the Department of Defense.

Pursuant to the Court’s June 27, 2006 Order, the Court has entered the Protective Order with respect to above-listed petitioners. *See* June 27, 2006 Order at 5. Even though the Protective Order is entered with regard to these petitioners, thereby allowing their counsel to have the opportunity to have privileged access to them, the petitioners are nonetheless represented in the petition by a next friend. Because direct authorizations to pursue this action have not been filed with the Court, it is unknown whether the petitioners consent to this matter proceeding. Counsel should be required to demonstrate direct authorization from the petitioners before merits-related proceedings are scheduled in this case.

Dated: July 18, 2008

Respectfully submitted,

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Assistant Attorney General

JOHN C. O'QUINN
Deputy Assistant Attorney General

/s/ Judry Subar

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Attorneys for Respondents

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

IN RE:))	
GUANTANAMO BAY	)	)	Misc. No. 08-442 (TFH)
DETAINEE LITIGATION	)	)	Civil Action No. 05-CV-2387 (RMC)
)			

STATUS REPORT

Pursuant to paragraph 1 of this Court's July 11, 2008 Scheduling Order, undersigned counsel for the respondents states the following status of this case:

- 1) Jobran Saad Al-Quhtani, a national of Saudi Arabia, is the detainee-petitioner in this habeas corpus case. The petitioner is currently detained by the Armed Forces of the United States at Guantanamo Bay, Cuba, and is identified by Internment Serial Number 696.
- 2) The Protective Order has not been entered in this case.
- 3) The detainee is represented in this petition by a next-friend. Petitioner's counsel should be required to demonstrate direct authorization from the petitioner after the Protective Order is entered.
- 4) A Combatant Status Review Tribunal ("CSRT") convened by the Department of Defense determined the petitioner to be an enemy combatant. The petitioner has not been approved for release or transfer from Guantanamo Bay by the Department of Defense. The petitioner has been charged with crimes triable by military commission under the Military Commissions Act of 2006.
- 5) The petitioner filed this petition for a writ of habeas corpus on 12/12/2005. On May 10, 2007, the Court dismissed petitioner's petition for lack of subject matter jurisdiction [dkt #23]. Petitioner has not filed a notice of appeal of that dismissal order or moved for reconsideration of the dismissal order. Respondents do not oppose vacatur of the dismissal of the petition.

6) The respondents have not filed the CSRT record, styled as a "factual return," in this case.

Dated: July 18, 2008

Respectfully Submitted,

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Assistant Attorney General

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/s/ Judry Subar

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

IN RE:)	
)	Misc. No. 08-442 (TFH)
GUANTANAMO BAY)	
DETAINEE LITIGATION	)	Civil Action No. 05-CV-2398 (ESH)

STATUS REPORT

Pursuant to paragraph 1 of this Court's July 11, 2008 Scheduling Order, undersigned counsel for the respondents states the following status of this case:

- 1) Ali, a national of China, is the detainee-petitioner in this habeas corpus case. The petitioner is currently detained by the Armed Forces of the United States at Guantanamo Bay, Cuba, and is identified by Internment Serial Number 250.
- 2) The Protective Order has been entered in this case.
- 3) The detainee is represented in this petition by a next friend. The Protective Order was entered in this case, so counsel has had the opportunity to visit the petitioner and receive direct authorization to pursue the action. Because such authorization has not been filed, however, it is unknown whether the petitioner consents to this matter proceeding. Counsel should be required to demonstrate direct authorization from the petitioner before merits-related matters are scheduled in this case.
- 4) A Combatant Status Review Tribunal ("CSRT") convened by the Department of Defense determined the petitioner to be an enemy combatant. The petitioner has been approved for release or transfer from Guantanamo Bay by an Administrative Review Board. The petitioner has not been charged with crimes triable by military commission under the Military Commissions Act of 2006.
- 5) The petitioner filed this petition for a writ of habeas corpus on 12/14/2005. The respondent has filed the CSRT record, styled as a "factual return," in this case.

Dated: July 18, 2008

Respectfully Submitted,

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/s/ Paul G. Freeborne

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

IN RE:)	
GUANTANAMO BAY)	Misc. No. 08-442 (TFH)
DETAINEE LITIGATION	)	Civil Action No. 05-CV-2398 (ESH)

STATUS REPORT

Pursuant to paragraph 1 of this Court's July 11, 2008 Scheduling Order, undersigned counsel for the respondents states the following status of this case:

- 1) Thabit, a national of China, is the detainee-petitioner in this habeas corpus case. The petitioner is currently detained by the Armed Forces of the United States at Guantanamo Bay, Cuba, and is identified by Internment Serial Number 289.
- 2) The Protective Order has been entered in this case.
- 3) The detainee is represented in this petition by a next friend. The Protective Order was entered in this case, so counsel has had the opportunity to visit the petitioner and receive direct authorization to pursue the action. Because such authorization has not been filed, however, it is unknown whether the petitioner consents to this matter proceeding. Counsel should be required to demonstrate direct authorization from the petitioner before merits-related matters are scheduled in this case.
- 4) A Combatant Status Review Tribunal ("CSRT") convened by the Department of Defense determined the petitioner to be an enemy combatant. The petitioner has been approved for release or transfer from Guantanamo Bay by an Administrative Review Board. The petitioner has not been charged with crimes triable by military commission under the Military Commissions Act of 2006.
- 5) The petitioner filed this petition for a writ of habeas corpus on 12/14/2005. The respondent has filed the CSRT record, styled as a "factual return," in this case.

Dated: July 18, 2008

Respectfully Submitted,

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

IN RE:)
GUANTANAMO BAY) Misc. No. 08-442 (TFH)
DETAINEE LITIGATION) Civil Action Nos. 05-CV-2479 (HHK);
) 05-CV-2010 (JR)

STATUS REPORT

Pursuant to paragraph 1 of this Court's July 11, 2008 Scheduling Order, undersigned counsel for the respondents states the following status of this case:

1) Ravil Mingaza Gamil, a national of Russia, is the detainee-petitioner in this habeas corpus case. The petitioner is currently detained by the Armed Forces of the United States at Guantanamo Bay, Cuba, and is identified by Internment Serial Number 702. This petitioner appears in more than one petition pending before this Court, as captioned above.¹ By minute order on January 11, 2007, the Court transferred the earlier-filed case, *Gamil v. Bush*, 05-cv-2010 (JR), and consolidated it into the later-filed case, *Al-Harbi v. Bush*, No. 05-cv-2479 (HHK).

2) The Protective Order has been entered in this case.

3) The detainee has directly authorized this petition.

4) A Combatant Status Review Tribunal (“CSRT”) convened by the Department of Defense determined the petitioner to be an enemy combatant. The petitioner has not been approved for release or transfer from Guantanamo Bay by the Department of Defense. The petitioner has not been charged with crimes triable by military commission under the Military Commissions Act of 2006.

5) The petitioner filed this petition for a writ of habeas corpus on December 28, 2005. The respondent has not filed the CSRT record, styled as a “factual return,” in this case.

¹ Petitioner is identified as Ravil Mingazov in the petition filed in *Al-Harbi v. Bush*, 05-cv-2479 (HHK).

Dated: July 18, 2008

Respectfully Submitted,

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/s/ Judy Subar

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

IN RE:)	
GUANTANAMO BAY)	Misc. No. 08-442 (TFH)
DETAINEE LITIGATION	)	Civil Action No. 05-CV-2479 (HHK)

STATUS REPORT

Pursuant to paragraph 1 of this Court's July 11, 2008 Scheduling Order, undersigned counsel for the respondents states the following status of this case:

- 1) Zainulabidin Merozhev, a national of Tajikistan, is the detainee-petitioner in this habeas corpus case. The petitioner is currently detained by the Armed Forces of the United States at Guantanamo Bay, Cuba, and is identified by Internment Serial Number 1095.
- 2) The Protective Order has been entered in this case.
- 3) The petitioner has provided a direct authorization of representation.
- 4) A Combatant Status Review Tribunal ("CSRT") convened by the Department of Defense determined the petitioner to be an enemy combatant. The petitioner has not been approved for release or transfer from Guantanamo Bay by the Department of Defense. The petitioner has not been charged with crimes triable by military commission under the Military Commissions Act of 2006.
- 5) The petitioner filed this petition for a writ of habeas corpus on 12/28/2005. The respondent has not filed the CSRT record, styled as a "factual return," in this case.

Dated: July 18, 2008

Respectfully Submitted,

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